

REMARKS

Claims 1-24 are pending in this application. Claims 1-7 are withdrawn as being drawn to a nonelected group. Claims 8, 11, 13 and 16-20 are allowed. Claims 21-24 are rejected. Claim 21 is amended hereby. Claims 9, 10, 12, 14 and 15 have been previously canceled.

Responsive to the rejection of claims 21 and 22 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,577,698 (Liu et al.), Applicant has amended claim 21, and submits that claims 21 and 22 are now in condition for allowance.

Liu et al. '698 disclose a locking strap fastener 10 (Figs. 1-2) for suspending festive adornments which includes a locking strap 11 proper, and a fixture 12 secured to (as shown, integral with) one end of the locking strap 11 (column 3, lines 8-13). To maintain the desired degree of tightness for as long as needed, locking strap 11 is shown to be provided with a series of ratchet-type teeth 14 distributed substantially equidistantly along its length (column 3, lines 29-32). Holding device 20 includes a through opening 21 of a generally rectangular contour that is surrounded and partially bounded by a reinforcing rib 22, and a generally hook-shaped holding portion 23 that extends from below the opening 21 upwardly to about two-thirds of the opening 21 (column 4, line 66 through column 5, line 4).

In contrast, claim 21 recites in part: "said head including a shoulder with an inside perimeter defining a mounting through-hole, said inside perimeter being a regular polygonal shape with at least five sides." (Emphasis added.) Applicant submits that such an invention is neither taught, disclosed nor suggested by Liu et al. '698 or any of the other cited references, alone or in combination, and has distinct advantages thereover.

Liu et al. '698 disclose a locking strap fastener with a holding device which includes a through opening of a generally rectangular contour. A regular polygon has a number of sides with

each side having the same length. The inside perimeter of the mounting through-hole shown in Fig. 2 of the present application is a thirteen-sided regular polygon, for example. Liu et al. '698 fails to disclose or suggest a mounting through-hole with an inside perimeter which is a regular polygonal shape with at least five sides.

An advantage of the present invention is that the regular polygonal shape of the inside perimeter of the shoulder tends to grip the fastener better thereby reducing the tendency of the tie to twist when holding a convoluted tubing.

For all of the foregoing reasons, Applicant submits that claim 21, and claim 22 depending therefrom, are now in condition for allowance, which is hereby respectfully requested.

Responsive to the rejection of claims 21-24 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,598,994 (Olewinski et al.), Applicant has amended claim 21, and submits that claims 21-24 are now in condition for allowance. The amendment to claim 21 above distinguishes claim 21, and dependent claims 22-24, from the prior art including Olewinski et al. '994.

For all of the foregoing reasons, Applicant submits that claim 21, and claims 22-24 depending therefrom, are now in condition for allowance, which is hereby respectfully requested.

Responsive to the rejection of claims 21 and 22 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,364,257 (Holder), Applicant has amended claim 21, and submits that claims 21 and 22 are now in condition for allowance. The amendment to claim 21 above distinguishes claim 21, and dependent claim 22, from the prior art including Holder '257.

For all of the foregoing reasons, Applicant submits that claim 21, and claim 22 depending therefrom, are now in condition for allowance, which is hereby respectfully requested.

Responsive to the rejection of claims 21, 22 and 24 under 35 U.S.C. § 102(b) as being anticipated by European Patent Application No. EP 0 398 562 (Arthur et al.), Applicant has amended claim 21, and submits that claims 21, 22 and 24 are now in condition for allowance. The amendment to claim 21 above distinguishes claim 21, and dependent claims 22 and 24, from the prior art including Arthur et al. '562.

For all of the foregoing reasons, Applicant submits that claim 21, and claims 22 and 24 depending therefrom, are now in condition for allowance, which is hereby respectfully requested.

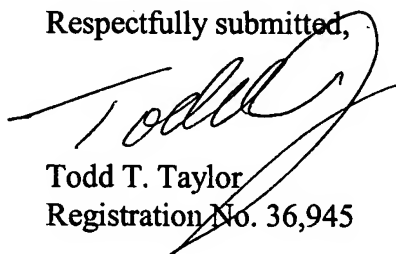
At page 5 of the Office Action, the Examiner has indicated claims 8, 11, 13 and 16-20 are allowed, for which courtesy the Examiner is thanked. For all of the foregoing reasons, Applicant submits that claims 8, 11, 13 and 16-20 are now in condition for allowance, which is hereby respectfully requested.

For the foregoing reasons, Applicant submits that no combination of the cited references teaches, discloses or suggests the subject matter of the amended claims. The pending claims are therefore in condition for allowance, and Applicant respectfully requests withdrawal of all rejections and allowance of the claims.

In the event Applicant has overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicant hereby conditionally petitions therefor and authorizes that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (260) 897-3400.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: October 6, 2004.

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Name of Registered Representative



Signature

October 6, 2004

Date